



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

17W

Applicant: James P. Quigley et al.

Title: METHODS FOR DIAGNOSING CANCER AND DECREASING METASTASIS BY  
CANCER CELLS

Docket No.: 1361.036US1  
Filed: February 18, 2004  
Examiner: Unknown

Serial No.: 10/781,564  
Due Date: N/A  
Group Art Unit: 1632

**MS Amendment**

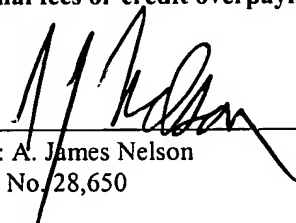
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ A return postcard.
- ☒ An Information Disclosure Statement (2 pgs.), Form 1449 (1 pg.), and copies of 11 cited documents, including the International Search Report for corresponding PCT Application No. PCT/EP2004/0015556 (5 pgs.).

If not provided for in a separate paper filed herewith, Please consider this a **PETITION FOR EXTENSION OF TIME** for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
Customer Number 21186

By:   
Atty: A. James Nelson  
Reg. No. 28,650

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 240 day of August, 2005.

  
Name

  
Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
(GENERAL)

S/N 10/781,564

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	James P. Quigley et al.	Examiner:	Unknown
Serial No.:	10/781,564	Group Art Unit:	1632
Filed:	February 18, 2004	Docket:	1361.036US1
Title:	METHODS FOR DIAGNOSING CANCER AND DECREASING METASTASIS BY CANCER CELLS		

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**INFORMATION DISCLOSURE STATEMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicant respectfully requests that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicant requests that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicant with the next official communication.

Several of the documents, listed on the attached 1449, were discovered as a result of a Search Report in Applicant's corresponding foreign patent application. Enclosed for the Examiner's information are copies of these cited documents and the Search Report.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Information Disclosure Statement considered.

## INFORMATION DISCLOSURE STATEMENT

Serial No : 10/781,564

Filing Date: February 18, 2004

Title: METHODS FOR DIAGNOSING CANCER AND DECREASING METASTASIS BY CANCER CELLS

Page 2

Dkt: 1361.036US1

Pursuant to 37 C.F.R. 1.98(a)(2), Applicant believes that copies of cited U.S. Patents and Published Applications are no longer required to be provided to the Office. Notification of this change was provided in the United States Patent and Trademark Office OG Notices dated October 12, 2004. Thus, Applicant has not included copies of any U.S. Patents or Published Applications cited with this submission. Should the Office require copies to be provided, Applicant respectfully requests that notice of such requirement be directed to Applicant's below-signed representative. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicant's Representative at the below-listed telephone number if there are any questions regarding this communication.

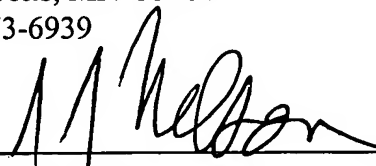
Respectfully submitted,

JAMES P. QUIGLEY ET AL.

By their Representatives,

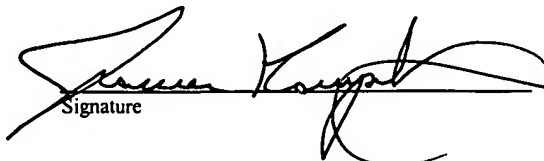
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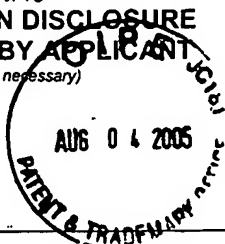
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JAMES KANYUSIK  
Name

  
Signature

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
(Use as many sheets as necessary)

Complete if Known

Application Number	10/781,564
Filing Date	February 18, 2004
First Named Inventor	Quigley, James
Group Art Unit	1632
Examiner Name	Unknown

Sheet 1 of 1

Attorney Docket No: 1361.036US1

**US PATENT DOCUMENTS**

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Filing Date If Appropriate
	US-6,245,898	06/12/2001	Testa, Jacqueline E., et al.	06/15/1999
	US-6,498,014	12/24/2002	Testa, Jacqueline E., et al.	02/08/2000

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	T <sup>2</sup>
	WO-99/66027A1	12/23/1999	Testa, J. E., et al.	
	WO-02/04508A1	01/17/2002	Schweifer, N., et al.	

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		"International Search Report for corresponding PCT Application No. PCT/EP2004/001556", (Attorney Docket No. 4-33290A/SCR / 1361.036WO1), (June 3, 2004), 5 pgs.	
		BROOKS, P. C., "Subtractive Immunization Yields Monoclonal Antibodies That Specifically Inhibit Metastasis", <u>Journal of Cellular Biology</u> , 122(6), (1993), 1351-1359	
		HOOPER, J. D., et al., "Homo Sapiens NCSG135 mRNA, Complete cds", <u>Database EMBL Online, Retrieved From EBI, Database Accession No. AF468010</u> , February 2, 2003), 3 pgs.	
		HOOPER, J. D., et al., "Subtractive Immunization Using Highly Metastatic Human Tumor Cells Identifies SIMA135/CDCP1, A 135 kDa Cell Surface Phosphorylated Glycoprotein Antigen", <u>Oncogene</u> , 22(12), (2003), 1783-1794	
		KOMATSOULIS, G., et al., "Sequence 132 From Patent US 6,476,195", <u>Database NCBI Online, Retrieved from EBI, Database Accession No. AAN97616</u> , (December 20, 2002), 1 pg.	
		SCHERL-MOSTAGEER, MARWA, et al., "Identification of a Novel Gene, CDCP1, Overexpressed in Human Colorectal Cancer", <u>Oncogene</u> , 20(32), (2001), 4402-4408	
		SUGANO, S., et al., "Homo Sapiens cDNA: FLJ22969 fis. Clone KAT10759", <u>Database EMBL Online, Retrieved From EBI, Database Accession No. AK026622</u> , (09/29/2000), 3 pgs.	
		TESTA, J. E., et al., "Eukaryotic Expression Cloning With an Antimetastatic Monoclonal Antibody Identifies a Tetraspanin (PETA-3/CD151) as an Effector of Human Tumor Cell Migration and Metastasis", <u>Cancer Research</u> , 59(15), (1999), 3812-3820	
		ZIJLSTRA, A., et al., "Targeting the Proteome/Epitome, Implementation of Subtractive Immunization", <u>Biochemical and Biophysical Research Communications</u> , 303(3), (2003), 733-744	

**EXAMINER****DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional) <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached